

PSP Cover Sheet

99B-195

Proposal Title: **Ball Ranch Habitat Restoration Area Acquisition**

Applicant Name: San Joaquin River Conservancy

Mailing Address: PO Box 205, Friant, CA 93626

Telephone: 559-822-7487

Fax: 559-822-2710

Email: sjriverconsrv@psnw.com

Amount of funding requested: up to \$7million based upon fair market value appraisal for one year

Indicate the Topic for which you are applying (check only one box).

- | | |
|---|---|
| <input type="radio"/> Fish Passage/Fish Screens | <input type="radio"/> Introduced Species |
| <input type="radio"/> Habitat Acquisition/Restoration | <input type="radio"/> Fish Management/Hatchery |
| <input type="radio"/> Local Watershed Stewardship | <input type="radio"/> Environmental Education |
| <input type="radio"/> Water Quality | <input checked="" type="radio"/> Other/land acquisition |

Does the proposal address a specified Focused Action? X yes no

What county or counties is the project located in? Fresno County & adjoins Madera County

Indicate the geographic area of your proposal (check only one box):

- | | |
|---|--|
| <input type="radio"/> Sacramento River Mainstem | <input type="radio"/> East Side Tributary |
| <input type="radio"/> Sacramento Tributary | <input type="radio"/> Suisun Marsh and Bay |
| <input checked="" type="radio"/> San Joaquin River Mainstem | <input type="radio"/> North Bay/South Bay |
| <input type="radio"/> San Joaquin Tributary | <input type="radio"/> Landscape (entire Bay-Delta watershed) |
| <input type="radio"/> Delta: | <input type="radio"/> Other) |

Indicate the primary species which the proposal addresses (check all that apply):

- | | |
|---|--|
| <input type="radio"/> San Joaquin and East-side Delta tributaries fall-run chinook salmon | <input type="radio"/> Winter-run chinook salmon |
| <input type="radio"/> Spring-run chinook salmon | <input type="radio"/> Late-fall run chinook salmon |
| <input checked="" type="radio"/> Fall-run chinook salmon | <input type="radio"/> Delta smelt |
| <input type="radio"/> Longfin smelt | <input checked="" type="radio"/> Splittail |
| <input checked="" type="radio"/> Steelhead trout | <input type="radio"/> Green sturgeon |
| <input type="radio"/> Striped bass | <input checked="" type="radio"/> Migratory birds |
| <input type="radio"/> All chinook species | <input type="radio"/> Other |
| <input type="radio"/> All anadromous salmonids | |

Specify the ERP strategic objective and target (s) that the project addresses. Include page numbers from January 1999 version of ERP Volume I and II:

This project is intended to contribute to achieving several of the visions and targeted actions that are identified in the CALFED Bay-Delta Ecosystem Restoration Plan (ERPP). The specific visions that this project will address include:

Visions for Ecosystem Elements

- priority group I (p. 32, Vol. 1, *Ecological Attributes of the S. F. Bay Delta Watershed*)
- priority group II (p. 34, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)

Ecological Process Visions

- Central Valley stream flows (p. 48, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Central Valley stream temperatures (p. 57, Vol. 1 *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Central Valley coarse sediment supply (p. 66, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Central Valley Stream meander (p. 76, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Natural Floodplain and Flood Process (p. 83, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)

Habitat Vision

- Riverine & aquatic habitats (p.147, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Freshwater fish habitat(p. 155, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Agricultural lands (p. 172, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)

Species Visions

- Chinook salmon (p. 211, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Steelhead trout(p. 225, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Splittail (p. 207, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Terrestrial & aquatic native species (p. 239, 250, 276, 286, 303, 305, 334, 358, 362, 365, Vol. 1, *Ecol. Attributes of the S. F. Bay Delta Watershed*)

Visions For Reducing Stressors

- Invasive Riparian species (p 451, Vol.1 *Ecol. Attributes of the S. F. Bay Delta Watershed*)
- Reducing stranding (p 525, Vol.1 *Ecol. Attributes of the S. F. Bay Delta Watershed*)

The specific visions that this project will address include:

Ecological Processes: Central Valley Stream Flows

- Target 2: (p. 399, *Volume II ERPP*)
- Programmatic Action 2A: (p. 399, *Volume II ERPP*)

Habitat - Seasonal Wetlands

Target 1/ Target 2 (p. 401, *Volume II ERPP*)

Habitat - Riparian and Riverine Aquatic Habitats

- Target 1: (p. 401, *Volume II ERPP*)
- Programmatic Action 1A (p. 401, *Volume II ERPP*)
- Programmatic Action 2A: (p. 401, *Volume II ERPP*)
- Programmatic Action 3A: (p. 401, *Volume II ERPP*)

Freshwater Fish Habitat

- Target 1 (p. 402, *Volume II ERPP*)

Agricultural Lands

- Target 1: (p. 402, *Volume II ERPP*)

Indicate the type of applicant (check only one box):

- | | |
|--|---|
| <input checked="" type="checkbox"/> State agency | <input type="checkbox"/> Federal agency |
| <input type="checkbox"/> Public/Non-profit joint venture | <input type="checkbox"/> Non-profit |
| <input type="checkbox"/> Local government/district | <input type="checkbox"/> Private party |
| <input type="checkbox"/> University | <input type="checkbox"/> Other |

Indicate the type of project (check only one box):

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Planning | <input checked="" type="checkbox"/> Implementation/acquisition |
| <input type="checkbox"/> Monitoring | <input type="checkbox"/> Education |
| <input type="checkbox"/> Research | <input type="checkbox"/> Private party |

By signing below, the applicant declares the following:

- 1.) The truthfulness of all representations in their proposal;
- 2.) The individual signing the form is entitled to submit the application on behalf of the applicant (if the applicant is an entity or organization); and
- 3.) The person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section 2.4) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.

Jack Reagan
Printed name of applicant

Jack Reagan
Signature of applicant

**PROPOSAL FOR ECOSYSTEM RESTORATION
PROGRAMS AND PROJECTS**

**Ball Ranch
Habitat Restoration Area,
San Joaquin River, Fresno County**



Applicant: The San Joaquin River Conservancy

Date: April 16, 1999

Title Page

Title of Project: Ball Ranch Habitat Restoration Area Acquisition

Primary Contact Name: Jack Reagan, Interim Executive Officer

Organization/Agency: The San Joaquin River Conservancy

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Participants and Collaborators:

John Schmidt, Executive Director, The Wildlife Conservation Board

Jeffrey R. Single, PHD, Senior Biologist Supervisor for Conservation Planning, California
Department of Fish and Game

Executive Summary

This application is for funding up to seven million dollars, based on fair market value, to acquire the 364 acre Ball Ranch property located east of Highway 99 and within the Gravely Ford to Friant Dam Management Unit of the San Joaquin River Ecological Zone. Portions of the river corridor frontage of this property and the adjoining Dry Creek drainage have already been transferred to the California Department of Fish and Game and are currently being managed as part of the Willow Unit of the San Joaquin Ecological Reserve. This acquisition would expand the publicly owned management area in this stretch of the river to a total of 592 acres.

This land acquisition would facilitate the Environmental Restoration Program Plan (ERPP) for habitat restoration and flood plain management slated for the Gravely Ford to the Friant Dam Management Unit and to support ecosystem-wide objectives for the CALFED Bay-Delta Program. Specifically, acquisition of this property will enhance Bay Delta CALFED/ ERPP actions aimed at creating cold water and spawning habitat for anadromous species such as Chinook salmon and Steelhead trout. A second primary objective is to prevent the development of a subdivision and golf course which would not only preclude habitat restoration actions but would remove a significant amount of San Joaquin River adjacent land from natural flood plain processes. Other anticipated benefits include expanded river access, interpretive and recreational opportunities for the local community and the reinforcement of the San Joaquin River Parkway Plan.

The project will be a cooperative effort on the part of a willing seller (the Ball Family Trust), the San Joaquin River Conservancy (applicant), the Wildlife Conservation Board of the California Department of Fish and Game (State Land Agent) and the CDF&G (Management Entity). The proposed approach is as follows:

- SJRC to sponsor application for funding from Bay Delta CALFED
- WCB to act as State Land Agent for the transaction
- Upon acquisition, property to be placed with SJRC for stewardship
- SJRC to enter into management agreement with CDF&G to manage the property in accordance with a habitat management plan.

Linkages also exist with numerous other agencies and conservation interests in the area including: Fresno County, Madera County, City of Fresno, City of Clovis, Fresno County Flood Control District, Madera Irrigation District, California Departments of Fish and Game, California Department of Parks and Recreation, U.S. Government Bureau of Reclamation, U.S. Fish and Wildlife Service, The San Joaquin Parkway and Conservation Trust, San Joaquin River Tributaries Association, the San Joaquin River Exchange Contractors Water Authority, Friant Water Users Authority, and the San Francisco Public Utilities Commission.

It is expected that this project will significantly improve the potential for carrying out ERPP targeted actions for the San Joaquin River mainstem ecological zone. The potential preservation and restoration benefits anticipated as a result of this acquisition and subsequent targeted actions are outlined in the body of the application.

Project Description

The **Ball Ranch Habitat Restoration Area Acquisition** proposal seeks funding to acquire a key habitat area situated along the Gravely Ford to Friant Dam Management Unit of the San Joaquin River Ecological Zone. The subject property, situated between Friant Road and the San Joaquin river is located about four and half miles west of Friant Dam (see Exhibit A: Property Location Map). This property is within historic San Joaquin River flood plain land. The 364 acre property includes a diversity of prime habitats including riparian and riverine aquatic, valley oak woodland, seasonal wetlands, freshwater fish habitat and upland agricultural land. A unique feature of the property is old gravel quarry excavation areas that were mined in the late 1920's and done in a manner which resulted in the formation of freshwater lakes and wetlands with naturalized riparian woodlands that provide off-channel habitat for warm water fish such as large mouth bass and blue gill. As an entirety, the property provides habitat to a great diversity of aquatic and terrestrial species. The Wildlife Conservation Board has acquired lands within the adjoining Dry Creek drainage and the Department of Fish and Game manages these lands as an ecological reserve. CDF&G presently desires to implement expanded interpretive activities on this reserve. However, due to the location and configuration the Ball Ranch property with respect to the reserve and Friant Road, public access is constrained.

The reach of the San Joaquin River below Friant Dam and Millerton Lake is subject to strong development pressure but is a vital link in the need to secure habitat protection within the heavily impacted San Joaquin River ecosystem. The 364 acre Ball property which directly adjoins the San Joaquin River is the single largest parcel along this reach. The property was optioned by development interests several years ago and became part of the urbanization trend of northern Fresno County and southern Madera County. Since that time, the San Joaquin Conservancy has established a comprehensive planning process for this segment of the San Joaquin River. Although development has been approved for portions of the Ball property by the County of Fresno, the property owner has opened the door for the possibility to convey the land to the State or other conservancy interests for conservation purposes. Consequently, preserving this critical habitat property through acquisition would remove the threat of development and strengthen the conservation effort in this ecologically important reach of the San Joaquin River.

Objectives

The primary objective of this application proposal is to fund the acquisition of this key habitat area situated along the Gravely Ford to Friant Dam Management Unit of the San Joaquin River Ecological Unit. The secondary objective is to facilitate, by acquiring and securing this critical habitat area, the following **future** ERPP actions:

- Supporting subsequent habitat restoration efforts for native species recovery and conservation, including the following high priority species:
 - Splittail
 - Chinook salmon
 - Steelhead trout
- Providing habitat restoration opportunities for other listed species including:
 - Yellow-billed Cuckoo
 - Swainson's hawk

- Valley Elderberry longhorn beetle
- San Joaquin Pocket mouse,
- Rehabilitation and protection of natural processes associated with a free flowing river including sediment and nutrient supply and cycling, natural stream meander, natural flood plain and flood processes,
- Supporting recreation and commercial species with enhancement of existing freshwater ponds,
- Providing essential spawning habitat for priority species as well as other at risk species.
- Protecting prime riparian habitat and contributing to an improved water quality of the River

Other potential benefits that acquisition can facilitate include:

- Facilitate floodway, riverine, wetland, and Valley oak woodland habitat research opportunities
- Provide an optimum site for nature interpretation as identified in the San Joaquin River Parkway Plan
- Place under state management a unique composite of natural and naturalized landscapes
- Contribute to the implementation of the San Joaquin River Parkway Plan by serving as an integral link to the parkway system
- Dovetail with existing programs aimed at preserving and restoring San Joaquin River riverine and riparian habitat.

Proposed Scope of Work

The Ball Ranch subdivision plan was filed for approval by Fresno County several years ago. This proposal was met with concern by conservation interests in the County. About the same time, the San Joaquin River Parkway planning effort was initiated. Fresno County approved the Ball Ranch project with mitigation. Portions of the Ball property fronting the river and the Dry Creek drainage were transferred to the Wildlife Conservation Board to be managed by the California Department of Fish and Game. The San Joaquin River Conservancy was created by the State to, among other responsibilities, acquire, restore, operate and maintain open space within the Parkway area.

The Ball Family Trust (BFT) has expressed willingness to sell the remaining 364 acre property to the State of California for the purpose of preservation of existing habitat as well as enabling the implementation of future multiple benefitting ERPP restoration actions. The approach to the acquisition is for the San Joaquin River Conservancy to act as the lead agency to sponsor the grant application. The Wildlife Conservation Board of the Department of Fish and Game has expressed a willingness to act as the land agent for the acquisition transaction. They will provide this service in their capacity as a State of California agency in behalf of another State of California agency. Once acquired, with Category III funds, the property will be owned by the State of California and assigned to the Conservancy for stewardship. The Conservancy may then enter into an agreement with the California Department of Fish and Game who may manage the property as a habitat conservation area consistently with other contiguous lands presently in State ownership.

The schedule for this project will be to complete the acquisition between October 1, 1999 and May 30, 2000. Individual tasks include: 1) a title report, 2) appraisal, and 3) professional services to negotiate the transaction, and to process the purchase agreement. WCB has indicated that they can perform these services for approximately \$42-45,000. WCB will provide project management for the acquisition phase of the project.

Location and/or Geographic Boundaries of the Project.

The 364 acre parcel is located in Fresno County between the San Joaquin River and Friant Road about four and half miles west of Friant Dam. The property includes all those portions of Sections 25, 35, and 36, in Township 11 South, Range 20 East, Mount Diablo Base Meridian, in the County of Fresno, State of California, according to the official Plat thereof including parcels:

Parcel Number	Name	Acres
300-250-07	Ball Family Trust	30.24
300-250-08	Ball Family Trust	24.00
300-250-09	Ball Family Trust	24.00
300-250-10	Ball Family Trust	28.13
300-250-14	Ball Family Trust	54.63
300-070-04	Ball Family Trust	58.46
300-070-53	Ball Family Trust	99.01
300-070-51	Ball Family Trust	143.41
300-070-49 (portions)	Ball Family Trust	24.13
300-070-49 (portions)	Ball Family Trust	24.13

(see **Exhibit A:** Property Location Map).

Ecological/Biological Benefits

The primary ERPP vision for the Gravelly Ford to Friant Dam Management Unit is to restore a diverse, self-sustaining riparian corridor linked with upstream and down stream ecological units. The acquisition of the Ball Property will this vision and greatly enhance opportunities to make possible the subsequent restoration of habitat as specified in the ERPP.

The ecological integrity of the San Joaquin river below Friant Dam is critical to the ecological health of the Bay-Delta System Zone (*Volume II ERPP page 385*). The re-establishment of a healthy San Joaquin River is dependent upon multiple restoration actions geographically stretching from the Bay Delta to the headwaters of the river. Because of the construction of the Millerton Reservoir and Friant Dam, watershed to ocean related processes have been dramatically altered or terminated on the mainstem of the river. The San Joaquin spring and fall run Chinook were extirpated in 1949 when Friant Dam closed the natural migration channel. Not only did this closure disrupt anadromous migrations on the mainstem of the river, but because of the reduced output there was insufficient flows to support runs on the river's primary tributaries. Clearly, controlling the amount of water flow from Friant Dam is a critical variable for re-creating supportive conditions for anadromous species. However, with the channel closure caused by the Dam construction and the permanent isolation of the upper watershed tributaries, another critical link in the system-wide restoration goal is the creation of viable spawning habitat for these species of concern. It is in this context that this project -- the acquisition of prime riverine, riparian forest valley oak woodland and upland farmland, at this strategic location assumes enormous significance as it could ultimately support spawning habitat for several of the ERPP highest priority species. This project, and subsequent ERPP related habitat actions that the property could facilitate are supportive to multiple targeted actions for the San Joaquin River Ecological Zone as described in the ERPP. These targeted actions include the following:

Central Valley Stream Flows

- **Target 2:** Managed flow releases from Friant Dam to Gravelly Ford to maintain stable populations of resident fish
- **Programmatic Action 2A:** Evaluate the feasibility of increasing flows below Friant to restore terrestrial and aquatic habitats for fish and wildlife

Habitat - Seasonal Wetlands

- **Target 1/ Target 2** Assist in protecting 52,500 acres of existing seasonal wetland and Develop and implement a cooperative program to enhance 120,300 acres of existing public and private land consistent with the goals of the Central Valley Habitat Joint Venture

Habitat - Riparian and Riverine Aquatic Habitats

- **Target 1:** Restore 50 stream miles of diverse self sustaining riparian vegetation
- **Programmatic Action 1A:** Develop a cooperative program to restrict further removal of riparian vegetation
- **Programmatic Action 2A:** Develop a cooperative program to restore riparian vegetation
- **Programmatic Action 3A:** Improve land management and livestock grazing practices along streams and riparian zones

Freshwater Fish Habitat

- **Target 1:** Maintain and improve existing freshwater fish habitat through the integration of actions described in ecological processes Restore 50 stream miles of diverse self sustaining riparian vegetation

Agricultural Lands

- **Target 1:** Cooperatively enhance 15,290 acres of private agricultural lands to support nesting and wintering waterfowl consistent with the objectives of the Central Valley Habitat Joint Venture(*Volume II ERPP pages 385-404*)

Hypothesis

The critical component of spawning habitat is essential to complement the ecosystem-wide restoration objectives for the mainstem of the San Joaquin River. *It is proposed that the acquisition of the Ball property, a prime riverine, riparian, oak woodland and upland farmland habitat area, will provide the physical latitude and scale for carrying out specific restoration actions aimed at priority species of concern while benefitting riparian and floodland habitat-dependent species as well as floodland fluvial processes.* This action is supported by the precedence of prior acquisitions of contiguous lands by the Wildlife Conservation Board for the purpose of habitat and other ecological values. Assumed with this acquisition project are two levels of potential benefits: those that would be gained through the land acquisition itself and those that would result from future ERPP actions that could be achieved if the property were acquired.

Immediate benefits anticipated

- Impeding major urbanization of prime San Joaquin River floodland habitat
- Preserving a large area of multiple contiguous interdependent habitats with approximately 4500 feet of River frontage
- Preserving unique off-channel wetland/aquatic habitat areas
- Providing for natural floodway processes for both the San Joaquin River and the adjoining Dry Creek drainage
- Enabling ecological linkages to existing up and downstream habitat areas
- Providing for recreational benefits and use of warm-water game fish in off-channel ponds
- Reinforcing the San Joaquin River Parkway Plan

Future ERPP -associated benefits anticipated

- Salmonid spawning habitat restoration
- Floodway-riverine targeted actions
- Educational/interpretive programs aimed at floodland habitat and processes
- Exotic species control and removal
- Floodway and habitat-related monitoring programs

Adaptive Management

This action will enable future passive adaptive management strategies to be implemented on the Ball Family Trust property based on a current understanding of the systemic processes effecting the San Joaquin River. Securing potentially prime riverine and flood plain habitat at this strategic reach of the river enables the future selection of best management options for the river based on practical observation and experience.

This property acquisition contributes to securing sufficient habitat land to facilitate subsequent ERPP targeted measures and actions for the Gravely Ford to Friant Dam Unit. This action combines the second phase of a long range plan for securing critical habitat area along the San Joaquin River with the added purpose of supporting specific habitat restoration actions consistent with ERPP recommendations. By increasing the physical extent of lands for potential habitat targeted actions, and by including the existing spectrum of flood plain-associated habitat categories including riverine riparian, oak woodland, freshwater wetland and upland farmland, the more comprehensive the specific set of actions can be and the greater probability of success in terms of sustainability and durability of those actions.

Linkages & Benefits to Third Parties

This acquisition supports the efforts undertaken by several restoration focused organizations that have concentrated on this reach of the San Joaquin River. The 1996 San Joaquin River Riparian Restoration Project, the Natural Resources Defense Council, and the Pacific Coast Federation of Fishermen's Associations share a strong interest in the mainstem of the San Joaquin River. Besides reaching agreement regarding mutually acceptable restoration activities, they also agreed to initially focus on riparian habitat restoration along the San Joaquin from Friant Dam to the confluence of the Merced River. Benefits cited in justifying implementing a future riparian restoration plan of this reach include improved flood control, ground water recharge, and fish and wildlife enhancement. Other linked restoration oriented programs include:

- The San Joaquin River Management Program: (developing comprehensive and compatible solutions to water supply, flood control, fisheries, wildlife habitat and recreation needs in the San Joaquin River basin, fisheries),
- The Central Valley Project Improvement Act: (developing a comprehensive plan to address fish, wildlife and habitat concerns on the San Joaquin River)
- The Salmon, Steelhead Trout and Anadromous Fisheries Program Act: DFG goal to double the numbers of salmon and Steelhead present in the Central Valley).
- Agreement on San Joaquin River Protection involving a consortium of State agencies and organizations; identifying feasible, voluntary actions to protect the San Joaquin River's fish resources recommended actions include:
 - * Higher minimum increased pulse flows
 - * New fish barriers @ mainstem
 - * New biological monitoring programs
 - * The establishment of federal restoration funds to cover associated costs

System-wide Ecosystem Benefits

System-wide benefits are assumed to be gained through this project and subsequent ERPP associated actions because of the property's strategic relationship to the San Joaquin mainstem and in particular, the critical need for quality riverine riparian forest habitat below Friant Dam. Habitat and process-aimed improvements accomplished at this strategic location have potential implications upon Delta to headwater processes for the San Joaquin River

Non Ecosystem Objective Compatibility

Floodland acquisition and enhancement and inversely impeding urbanization of historic floodland will benefit flood management and ground water recharge objectives of the San Joaquin River.

Technical Feasibility and Timing

Alternatives/Timing

This is an acquisition project. The alternatives are to acquire or not to acquire. Acquisition options are related to phasing the project to correspond with the availability of funding. The property could be purchased outright or a purchase option agreement could be pursued that would enable the property to be acquired in stages over a two to three year period. The property is 364 acres and is estimated to be valued at around \$20,000 per acre. Thus, the estimated value is approximately 7 million dollars. (The actual value will have to be determined by an independent appraisal which satisfies State requirements.) If it is not feasible to fund the entire project in one funding cycle, the owner of the property may be willing to entertain a phased acquisition program.

Environmental Compliance

No environmental compliance documents are required for a property to be acquired. However, the CDFG has an EIR/S for the habitat restoration of the adjacent property. This environmental document can be expanded to include this property as well. Ultimately, the Ball Ranch Property will come under the integrated management plan of the CDF&G for the contiguous properties currently in State ownership. For future management considerations of the property, the adopted San Joaquin River Parkway Master Plan and supporting certified programmatic EIR, will provide the management and restoration goals. This acquisition will be consistent the Parkway Master Plan and its programmtic EIR.

Other Constraints

There is currently litigation involving the owner of the property and the proposed developer of the subdivision and golf course for which county entitlements have been granted. Both parties are willing sellers and indicate that their litigation will not impact the sale of the property. See the attached letter **(Exhibit B)**. This acquisition will remove the threat of development of the property.

Monitoring and Data Collection Methodology

This section of the application is not applicable to an acquisition project.

Local Involvement

Notice of Intent

The notification letter of intent to apply for Bay Delta CALFED Category III funding for this acquisition is attached to this application. (See Exhibit C) The list of noticed agencies, organizations, and adjacent land owners are listed at the bottom of the letter.

Public Outreach Plan

If required, a public outreach plan will be developed by the CDF&G after the acquisition has been completed and before the habitat management plan is developed and incorporated with that of the adjacent CDF&G managed properties.

Written Permission for Property Access

It is the understanding of this applicant that the written permission requirement described in the PSP only pertains to the situation of a project proposed on a private property that isn't owned by the applicant or a "willing seller"

Third Party Impacts

There are no known third party impacts anticipated other than the litigation that has been discussed in section *Technical Feasibility and Timing*.

Cost

Total Budget

Costs for this acquisition project include incidental costs and the cost of the property. The incidental costs include title report, appraisal, negotiation services, purchase agreement processing, escrow, and title insurance. (see * below) These costs have been estimated by the Wildlife Conservation Board staff (who will assist the San Joaquin River Conservancy in the capacity of land agent. See Tables 3 and 4 below.

Table 3. Total Budget

<i>Task</i>	<i>Incidental Cost</i>	<i>Acquisition Costs</i>	<i>Total Costs</i>
1. Aproximate Incidental Costs*	\$ 45,000		\$45,000
2. Acquisition Cost		\$7,000,000	\$7,000,000
Total	\$45,000	7,000,000	7,045,000

Table 4. Quarterly Budget

<i>Task</i>	<i>Quarterly Budget Oct -Dec 99</i>	<i>Quarterly Budget Jan - Mar 00</i>	<i>Total Budget</i>
1 Incidental Costs*	\$30,000	\$15,000	\$45,500
2. Acquisition Cost		\$7,000,000	\$7,000,000
Total	\$30,000	\$7,015,000	\$7,045,000

Cost Sharing

No cost sharing is proposed as of the filing date of this application.

Applicant Qualifications

The San Joaquin River Conservancy is the applicant for grant funds for this acquisition project. However, the State Department of Fish and Game Wildlife Conservation Board, will actually provide the "land agent" function as a inter-agency service to the Conservancy. Upon completion of the acquisition, the property will be assigned to the Conservancy as the State of California Agent of the land. The Conservancy will then enter into an operating agreement with the California Department of fish and Game, that will manage the property on behalf of the State. This is a collaborative project in which the Conservancy and the two State entities are working together to facilitate the habitat restoration goals of the Bay Delta CALFED program for the upper reaches of the San Joaquin River.

A one page description of the San Joaquin River Conservancy is attached to this application.
(See **Exhibit D**)

Attachments

Exhibit A - Property Location Map

Exhibit B - Ball Ranch willing seller letter

Exhibit C - Letter of Intent to apply for Category III funding

Exhibit D - Description of the San Joaquin River Conservancy

CALFED Application
Exhibit A

CALFED Application
Exhibit B

**CASWELL, BELL, HILLISON,
BURNSIDE & GREER LLP**

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www.caswellbell.com

April 16, 1999

Re: CALFED Ball Ranch Habitat Restoration Area Acquisition

To Whom It May Concern:

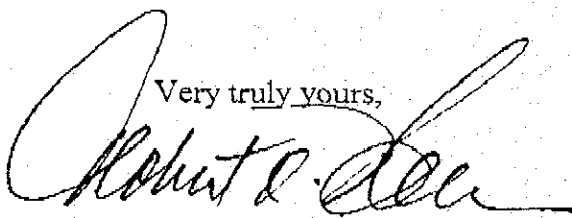
We are attorneys for The Ball Family Trust 1988. On behalf of our client, we hereby advise you as follows with respect to the above-referenced matter.

1. The Ball Family Trust 1988 ("BFT"), the owner of the real property covered by Fresno County Vesting Tentative Tract Map 4156A (the "Property"), would be a willing seller to the San Joaquin River Conservancy. Part of the Property proposed to be used for a golf course, subdivision improvements, and public trail ("public uses") is the subject of a pending action in which the plaintiff, Sienna Associates Limited Partnership ("Sienna"), claims it is entitled to a conveyance of the so-called "public use land" by reason of an option contract signed by BFT and Sienna in January, 1992; the trial is scheduled to begin May 17, 1999. If an offer to purchase the Property is made, which offer includes the so-called "public use land," and the dispute between BFT and Sienna has not yet been resolved, BFT and Sienna have agreed that the so-called "public use land" may be sold at fair market value and the proceeds escrowed or deposited in court, subject to distribution on the agreement of the parties, pursuant to court order, or upon final judgment.

2. The property shall be sold at its fair market value as determined by an independent appraisal. BFT has not obtained a current appraisal of the Property.

If you have any questions or comments regarding the foregoing, please contact me at your convenience.

Very truly yours,



Robert K. Hillison

RKH/ch

c: The Ball Family Trust 1988
Scott S. Payzant, Esquire

**CALFED Application
Exhibit C**

EXHIBIT C



P.O. Box 205, 5290 Millerton Rd.
Friant, California 93626
Telephone (209) 822-2877
Fax (209) 822-2710

CONSERVANCY BOARD

The Honorable
Sharon Levy, Chairman
Fresno County Board of Supervisors

The Honorable
Frank Bigelow, Vice-Chairman
Madera County Board of Supervisors

The Honorable
Mary Jane Nabors
Council Member, City of Madera

The Honorable
Jim Patterson
Mayor, City of Fresno

Ed Kashian
Appointed by Fresno County

Dr. Duane Furman
Appointed by Madera County

Dr. Lynn Hemink
Appointed by City of Fresno

John Schmidt
Executive Director,
Wildlife Conservation Board

Don Wallace
Assistant Secretary,
Resources Agency

Doug Harrison
General Manager,
Fresno Metropolitan
Flood Control District

Stephen Ottemoeller
General Manager,
Madera Irrigation District

Jacqueline Ball
Designee for Director of
Department of Parks & Recreation

Jack Reagan
Interim Executive Officer

STATE OF CALIFORNIA

April 16, 1999

To: All Interest Parties
(See attached mailing list)

Subject: Intention to file for grant funds under the CALFED
Bay Delta Category III Program for the acquisition of
the Ball Ranch

To whom it may concern:

Please be advised that the San Joaquin River Conservancy intends to submit an application for grant funding for the acquisition of the 360 acre Ball Ranch Property, a prime San Joaquin River flood plain habitat area, located between the San Joaquin River and Friant Road about 4 1/2 miles west of the Friant Dam. The funding is being requested through the CALFED Bay Delta Category III Program.

The Conservancy is involved with a number of long-standing negotiations with property owners along the San Joaquin River who are consequently more in cue for immediate funding consideration from resources ear-marked for acquisition. The willingness of the Ball Family Trust (BFT) to make available their 360 acre property only came to the Conservancy's attention as of March of this year. Because of the prime location and strategic habitat values that the property would offer, the short window of opportunity of availability, the CALFED Category III grant program was deemed to be an expeditious avenue for securing the property and ensuring its commitment to habitat preservation and restoration. As Interim Executive Officer of the Conservancy, I will be actively pursuing funding to enable this important transaction to occur.

If successful, this acquisition will enable this property to be restored and maintained as wildlife habitat in conjunction with contiguous properties presently owned and managed by the State of California Department of Fish and Game.

Sincerely,

Jack Reagan
Interim Executive Officer
San Joaquin River Conservancy

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attachment

Mailing List

Fresno County:

- Board of Supervisors
- Planning Department
- Parks and Recreation Department
- Flood Control District
- Council of Fresno County Government

Madera County:

- Board of Supervisors
- Madera County Planning Department

City of Fresno:

- City Council
- Planning Department

City of Clovis:

- City Council
- Planning Department

Madera Irrigation District

State of California:

- Department of Parks and Recreation
- Department of Fish and Game
- Wildlife Conservation Board

U.S. Government

- Bureau of Reclamation
- Fish and Wildlife Service

San Joaquin Parkway and Conservation Trust, Executive Director

San Joaquin River Exchange Contractors Water Authority

Friant Water Users Authority

Adjoining Property Owners

Robert Becker

CALFED Application
Exhibit D

Exhibit D: Description of the San Joaquin River Conservancy

THE SAN JOAQUIN RIVER CONSERVANCY is charged with protecting and preserving the unique open spaces of the San Joaquin River Parkway. Legislation creating and governing the Conservancy (AB 2452, Statutes of 1992) establish its responsibilities to:

- Preserve the San Joaquin River Parkway, including its broad corridors and prominent bluffs, for the enjoyment and appreciation of present and future generations,
- Preserve the environmental, cultural, scientific, agricultural, educational, recreational, scenic, flood water conveyance, and wildlife resource values of the San Joaquin River Parkway,
- Acquire, restore, operate, and maintain an additional 4,000 acres within the San Joaquin River Parkway to provide for a total of 5,900 acres within public ownership between Friant Dam and State Route 99.

Partnership with private non-profit organizations and participating federal, state and local government agencies is leading the San Joaquin River Conservancy toward accomplishment of its legislatively defined goals. Those partners include:

- San Joaquin River Parkway and Conservation Trust
- Trust for Public Land
- American Farmland Trust
- U. S. Department of Interior, Bureau of Reclamation
- California Department of Parks and Recreation
- California Department of Fish and Game
- California Wildlife Conservation Board
- County of Fresno
- County of Madera
- City of Fresno

The Conservancy and its private non-profit and participating local government partners, have acquired or are anticipated to conclude acquisitions from willing sellers of fee title or conservation easement interests totaling nearly 1,500 acres, bringing the total of conserved San Joaquin River Parkway acreage to approximately 2,730 acres. Many property owners have donated land or money to assist the Parkway acquisition, development, and management efforts. A 1998 Fresno Chamber of Commerce voter opinion survey indicates that 80% of voters support preserving the river bottom. Public support is based upon the need to preserve this valuable open space from urban development and as a flood management channel, the desire for more recreational opportunities proximate to a growing metropolitan region, and environmental awareness that habitat is needed for endangered plants and animals.